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12 SIGMA DYNAMICS, INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

16 SIGMA DYNAMICS, INC., a Delaware  
17 corporation,

18 Plaintiff,

19 v.

20 EPIPHANY, INC., a Delaware corporation,

21 Defendant.

Case No: 3:04-CV-569 MJJ

**JOINT STIPULATION  
DISMISSING ACTION**

22  
23 Pursuant to Rule of Appellate Procedure 42 (a), the plaintiff in this action, Sigma  
24 Dynamics, Inc., and defendant Epiphany, Inc. hereby stipulate to the dismissal, with prejudice, of  
25 the appeal of the above-captioned action. Pursuant to this stipulation, the parties agree to bear  
26 their own costs and attorneys' fees.  
27  
28

**FILED**

JUL 27 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 Accordingly, the parties hereby request that the Court enter this Order, dismissing Sigma  
2 Dynamics, Inc.'s appeal against Epiphany, Inc., with prejudice.

3 Respectfully submitted,

4 ON BEHALF OF SIGMA DYNAMICS, INC.

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6  
7 Dated:

/s/  
PAUL ANDRE  
Of Perkins Coie LLP

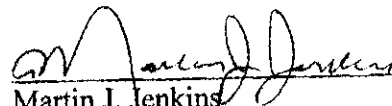
9 ON BEHALF OF EPIPHANY, INC.

10  
11  
12 Dated:

/s/  
DARIN SNYDER  
Of O'Melveny & Myers LLP

13  
14  
15 PURSUANT TO STIPULATION, IT IS SO ORDERED

16  
17  
18 Dated: 7/27/2005

  
Martin J. Jenkins  
United States District Judge